

**LETTER FROM MIDWEST COALITION REGARDING DATA  
VALIDATION**



## STATE OF IOWA

CHESTER J. CULVER

GOVERNOR

PATTY JUDGE

LT. GOVERNOR

DEPARTMENT OF ELDER AFFAIRS

JOHN MCCALLEY, DIRECTOR

Re: U S DoL Validation Process

Dear DoL; NASUA, Congressional Reps ~

I am writing concerning the proposed Senior Community Services Employment Program (SCSEP) Data Validation Pilot and the requirements imposed by the U.S. Department of Labor (DOL). The SCSEP promotes part-time employment opportunities in community service activities for low-income persons who are 55 years or older and who have poor employment prospects. Administered by the Department of Labor, the SCSEP program (known as Title V) represents almost one quarter of the Older American Act (OAA).

The Iowa Department of Elder Affairs (IDEA) has been involved in the administration of this program at the state level for approximately 40 years. IDEA has a deep commitment to vulnerable older Iowans to ensure that individuals wanting to work have the services available through the SCSEP to receive the skills needed for unsubsidized employment. This enables them to live independently and be self-sufficient.

*The SCSEP serves Iowa's most economically disadvantaged seniors who must work to subsist. Of those served by SCSEP in 2006, 82 percent were below poverty (participants qualify at up to 125 percent poverty), 66 percent were female, 62 percent were age 60+, 36 percent did not graduate from high school, 15 percent had a disability, 16 percent are veterans and 41 percent are minority. By these indicators, SCSEP serves a population that faces multiple barriers to employment.*

Since IDEA has been involved in the administration of the program there has never been an instance reported of a participant falsifying information just to become eligible for program participation. The Federal Regulations for SCSEP have not yet been finalized. It appears that none of the basic intake and placement information gathered by program coordinators is deemed trustworthy. The DOL seems to be providing solutions to problems that do not exist. The DOL is again attempting to mold SCSEP and in many instances replicate the rules and regulations of Workforce Investment Act (WIA) programs. They have implemented requirements that are burdensome, redundant and unnecessary in the validation of the information reported by participants. In our view, these new requirements create significant mistrust of individuals who may already have low self-esteem and mistrust of government programs.

**The following are some of our specific concerns/examples:**

- With limited resources and staff the program is expected to spend time tracking down sources to back up data and develop detailed case notes for each participant concerning their involvement in the community service assignment and unsubsidized employment placement. Project coordinators are assuming the role of case manager besides job developer. This can do nothing but distract the program staff from working with participants to assist them in future employment

JESSIE M. PARKER BLDG. / 510 EAST 12<sup>TH</sup> STREET, SUITE 2 / DES MOINES, IOWA 50319-9025

515-725-3333 / FAX 515-725-3300

[www.iowa.gov/elderaffairs](http://www.iowa.gov/elderaffairs)

endeavors. The administration proposes a funding cut of \$172 million or 33 percent to the Senior Community Services Employment Program (SCSEP) for older Americans from \$522 million in FY 08 to \$350 million in FY 09. With a projected budget there obviously is not enough funding to support data validation in the future.

- The SCSEP is not a WIA program. It is an Older Americans Act Program. Congress reinforced the dual nature of the program during the Reauthorization of the OAA in 2007 which are the community service and job training aspects for which it was designed. The older persons who are eligible are usually hard-to-serve and many have several barriers to employment. Since WIA funds have dwindled, many job centers secure the services of the SCSEP to assist older adults. To expect SCSEP program coordinators to conduct interviews with local citizens to divulge further in getting certification regarding participants living conditions, family situations, employment backgrounds and other sources of verification and documentation is well beyond the bounds of reasonableness. To ask for health information is in violation of the HIPPA Act.
- Some specific examples of data validation:

1. **Family Size:**

Program administrators can no longer take a participant's word and signed application attestation regarding the number of people in their family.

The Data Validation Handbook dated 1/17/2008 quotes the following be obtained.

- *Attachment II of TEGL 12-06 requires documentation of family size in all cases (not just in disability cases).*
- *A signed statement from an independent person with personal knowledge of the applicant's living situation. For example, the landlord, or manager of the apartment building, a neighbor, a social worker or a clergy person.*
- *An official form such as an IRS 1040 form, a HUD form or a lease, which specifically lists the members of the family and reflects the living situation at the time of application.*
- *Appropriate medical documentation for a family of 1 due to disability, as described in P26. (Disability must be additionally documented when an applicant with other includable family members is seeking to have a family size of one.)*
- *Utility bills and similar mail could be supporting documentation but may not suffice to establish that the spouse is currently residing with the applicant.*
- *Self-attestation is not permitted.*

Since very few of the people eligible for the program file taxes and some reside in public housing, this means that before eligibility determination, someone from the local project must go to the applicant's neighborhood and locate someone that meets the data validation criteria to get a signed statement from them. This could take hours or even days to get one piece of information and in some rural areas it may mean traveling as much as 100 miles for either the project coordinator or the applicant who may not have transportation available to them or money to pay for it. I would submit that the chances of obtaining incorrect information in this regard directly from the applicant is good enough to outweigh the kind of effort required to obtain independent verification.

2. **Homeless**

If a person is not homeless, it is highly unlikely that they would be “untruthful” about it on their application form especially when they have signed the form attesting to the validity of information provided. The data validation handbook states:

*“Signed statements from an individual in an agency providing residence, shelter, or social services; signed self-attestation.”*

This requires a physical trip to the neighborhood to locate a person who meets the data validation criteria. It may be possible for the applicant to obtain the signed statement, but if they are homeless are we to expect them to travel to the places where they have stayed just to attest they are in fact “homeless.” What if they have been living out of their vehicle? Who attests to that? .

3. **Employed Prior to Participation**

The requirement in the Data Validation Handbook is a separate signed statement which, while it does allow the applicant to sign, is just another unnecessary piece of documentation. If the application form has an indication of employment prior to participation and the applicant signs the form attesting to correctness of the data why do program coordinators need to verify? One of the problems with the older individuals who apply is that they in fact many times tell us “more than we need to know.”

The data validation handbook states:

*A statement signed by the participant that attests to the following:*

*At the time of participation, I am not employed, i.e., I do not...*

*do any work at all as a paid employee;*

*do any work at all in my own business, profession, or farm;*

*work 15 hours or more as an unpaid worker in an enterprise operated by a member of my family; or have a job or business from which I was temporarily absent because of illness, bad weather, vacation, labor-management dispute, or personal reasons.*

The form may include other items so long as the full text is provided so that the participant understands exactly what they are attesting to. A signed application form is not acceptable.

4. **Assignment Date**

The requirement in the DV handbook state:

*Detailed case notes describing specific SCSEP activities, such as host agency time sheets, written communication with the host agency, case notes containing oral communication with host agency, written communication with participant, case note of oral communication with participant.*

Apparently, the general rule is that no one tells the truth. The assignment date is the date a person is assigned to a host agency community service training site. The idea that project managers cannot simply put this date on the paper documents and in the database without “detailed case notes” is ludicrous. The same principal applies to the Start Assignment Date and the Assignment Ending Date. These are the dates the participant

actually starts to work at the assignment or actually ends working at the assignment. If this information ever needs to be audited, the payroll records will verify the dates so why burden the project managers with yet more paper and more work?

The data collection reporting system known as SPARQ has endured many updates since its inception in 2005. There still remain discrepancies in what can be entered into the system that it will take so that no data quality report error is generated. For example, the date of application, date of determination, date of signing, and community service assignment date must be the same or within 1-2 days before the system accepts it. If the application filled out the application and signed it one day and then 3-4 days later came back and were determined eligible and assigned to a host site these would likely be rejected in SPARQ. The system must be running at full capacity before any type validation.

5. **Approved Break in Participation: Start Date**

The requirement in the DV handbook states:

*Detailed case notes describing specific SCSEP activities.*

An approved break in service is when a participant notifies their supervisor that they cannot come to work for an extended period of time (usually a week or more.) because of a particular circumstance. Normally this happens when the participant has to go to the hospital for surgery, has to care for a family member or for any other legitimate reason. The net effect is that the participant puts themselves on an unpaid leave of absence. Why detailed case notes are required for this is totally beyond my comprehension. Since the participant is not being paid there is no cost to the program, we certainly can't deny the request, so it would seem to me that simply putting in the date of absence and then putting in the date of return when that happens should be sufficient without further documentation.

6. **Exit Due to Exclusionary Reason**

The Data Validation Handbook states that if a person terminates for an exclusionary reason (medical or death) the project must obtain the following documentation:

Because of the difficulty in obtaining medical documentation, DOL will accept a signed self-attestation that contains the following statements:

1) *I am in the care of Dr. \_\_\_\_\_*

2) *Dr. \_\_\_\_\_ has informed me (a) that my medical condition is expected to last at least 90 days, and (b) my medical condition prevents me from participating in the SCSEP program and from working.*

*The exclusion for institutionalization requires that the participant be receiving 24-hour care in a facility like a prison or hospital and be expected to remain there for at least 90 days. A disabled person residing in a facility is not considered institutionalized.*

*The final exclusion is death. It can be documented by a death notice from the paper or a written statement from a person or agency with a reasonable basis for knowing of the participant's death.*

While this seems straight forward I question the likelihood of where 24-hour care is being received. It is not unusual for an older person to fall and injure themselves. The care of that person can be provided by many facilities or sources such as a Skilled Nursing Home, family or friend acting as a caregiver, in-home services, etc.

Using the term of "institutionalization" is rather disturbing especially from an aging perspective where receiving services at home is encouraged. I would have to wonder why a person with a disability is treated differently in regards to institutionalization. As the above reads, if a participant who is disabled has to leave the program because their health has deteriorated to the point that they have to go to a nursing home or other similar facility, we cannot count them as institutionalized. This makes no sense, and is just a further example of how unrealistic these policies are as well as a lack of understanding older persons.

The data validation requirements for all placement activity continue on with the requirement for "detailed case notes" on just about all facets of the unsubsidized employment and follow-up information. While it is unclear exactly what constitutes detailed case notes, it obviously means something other than just collecting the information with some reasonable trust that the people you are getting the information from are telling the truth.

In conclusion, the Iowa Department of Elder Affairs understands the importance of reporting accurate data, however, we are questioning the return on investment of the processes that the DOL is utilizing for validation of participant records. We are very concerned that these actions will ultimately divert many deserving older Iowans away from the program and that non-profit community agencies will be discouraged from participating in the program as host agencies due to the unrealistic requirements of administering it.

We urge you to review the current practices of the U S Department of Labor concerning their practices and policies that have been outlined in this letter.

Sincerely,

John McCalley, Director  
Iowa Department of Elder Affairs